EXHIBIT 9

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1
                  UNITED STATES DISTRICT COURT
                 NORTHERN DISTRICT OF CALIFORNIA
 2
                     SAN FRANCISCO DIVISION
 3
 4
 5
      WAYMO LLC,
                      Plaintiff,
 6
 7
              vs.
                                         Case No.
                                         3:17-cv-00939-WHA
 8
      UBER TECHNOLOGIES, INC.,
      OTTOMOTTO LLC; Otto
 9
      Trucking LLC,
10
                      Defendants.
11
12
13
14
15
          HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
16
              VIDEOTAPED DEPOSITION OF NINGJUN QI
17
                    San Francisco, California
18
                    Thursday, June 22, 2017
19
                            Volume I
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     Reported by: SUZANNE F. GUDELJ
23
     CSR No. 5111
24
     Job No. 2644340
25
     PAGES 1 - 320
                                                       Page 1
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1 MR. JACOBS: You can answer that like	1 whether you have a specific recollection of trade
2 whether it was orally or by email or	2 secrets being discussed in the conversation you have
3 THE WITNESS: I don't know.	3 in mind. Otherwise, I instruct you not to answer.
4 BY MS. ROBERTS:	4 THE WITNESS: I don't have a specific
5 Q Did you ever learn the reasons that he 10:00:14	5 recollection. 10:15:14
6 conveyed why his idea wouldn't infringe on other IP?	6 BY MS. ROBERTS:
7 MR, JACOBS: And you can answer that yes or	7 Q Okay. Back to questions about document
8 no.	8 retention. Do you use text messages in the course
9 THE WITNESS: I learned of one reason.	9 of your work at Uber?
10 BY MS. ROBERTS: 10:00:26	10 A If by "text messages" I mean, yes, if 10:15:42
11 Q What was that reason?	11 you broadly define "text messages."
12 MR. JACOBS: Can we confer?	12 Q Okay. Can you clarify what you mean by
13 MS. ROBERTS: Sure. Actually, now is a	13' that?
14 good time for a break anyway.	14 A SMS versus like an iMessage type client.
VIDEO OPERATOR: Going off the record. The 10:00:34	15 Q Okay. So you're including both of those in 10:15:59
16 time is 10:00 a.m.	16 your def defining broadly?
17 (Recess.)	17 A Yes, I'm including when I look at my
18 VIDEO OPERATOR: Back on the record. The	18 message on my iPhone both green bubbles and blue
19 time is 10:13 a.m.	19 bubbles.
20 BY MS. ROBERTS: 10:13:25	20 Q Okay. 10:16:14
21 Q Before the break, we were talking about the	21 MR. JACOBS: I got that.
22 reasons that Mr. Levandowski gave for why his idea	22 BY MS. ROBERTS:
23 wouldn't infringe on other IP. And the question I	23 Q And so you used you communicate with
24 had asked you is: Did you ever learn the reasons	24 others in the context of your employment at Uber
25 that he conveyed? And you said you learned of one 10:13:40 Page 58	25 using the text messaging technologies that you just 10:16:25 Page 60
Tage 50	Tage 00
1 reason. And then I asked: What was that reason?	1 referenced?
2 MR, JACOBS: And then so I'll instruct	2 A Yes.
3 you not to answer as to the specifics of the reason,	3 Q Have you ever deleted any texts that were
4 but in general terms what Mr. Levan what the	4. related to your employment at Uber?
5 nature of Mr. Levandowski's response. 10:13:52	5 A Yes. 10:16:38
6 THE WITNESS: He thought that his idea, the	6 Q And what is your practice for deleting text
7 way it was designed, was not would not infringe	7 messages relating to your employment?
8 on other companies' patents.	8 A There really isn't a practice. Sometimes I
9 BY MS. ROBERTS:	9 clean out messages that from people that I don't
10 Q So it was specific to patents? 10:14:11	10 think I will talk to for a while. 10:16:58
11 A Yes.	11 Q How often do you clean out messages in that
12 Q And when when you say that he thought	12. manner?
13 his idea would not infringe on other companies!	13 A I can't really say.
14 patents, did were specific companies discussed?	14 Q Did you communicate with others via text
15 A Yes. 10:14:30	15 regarding the acquisition of Otto? 10:17:15
16 Q What companies were discussed?	16 A Yes.
17 MR. JACOBS: You can answer that.	17 Q And have you deleted any texts with anybody
18 THE WITNESS: Velodyne, Google.	18 which related to the acquisition of Otto?
19 BY MS. ROBERTS:	19 A Yes.
20 Q Anybody else? 10:14:41	Q And to the best of your recollection, what 10:17:27
21 A Not that I can remember.	21 texts did you delete?
22 Q Did Mr. Levandowski indicate or convey to	22 A I've deleted some texts with Anthony.
23 Uber that he whether he thought his idea would	23 That's the only one I can remember.
24 use trade secrets of other companies?	24 Q When did you delete those texts with
MR. JACOBS: You can answer on the topic of 10:14:59 Page 59	25 Anthony? 10:17:52 Page 61

Page 63	Page 65
25 clarify. 10:20:50	25 deleted texts with Lior Ron? 10:22:57
24 Q Well, you said you okay. Let me	24 you and him, you don't specifically recall if you
23 specific time period?	23 specifically recall that you deleted texts between
22 A Not what are you referring to a	22 Q So again, unlike Mr. Levandowski where you
21 were on your phone been deleted by you?	21 specifics.
20 text messages between you and Mr. Levandowski that 10:20:31	20 A Again, it's possible, but I don't remember 10:22:45
19 Q To the best of your recollection, have all	19 any texts between you and Mr. Ron?
18 A No.	17 A That's correct. 18 Q Okay. Turning to Mr. Ron, have you deleted
16 that texts could be searched for to be produced in 17 this litigation?	16 respect to texts for with Mr. Poetzscher? 17 A That's correct.
15 Q Have you handed your phone over to Uber so 10:20:21	15 Levandowski, you don't recall doing the same with 10:22:30
14 A No.	14 that you went in and deleted texts with Mr.
13 so that they can produce them in this litigation?	13 Q So unlike where you specifically remember
12 Q Have you handed over text messages to Uber	12 A It's possible, but I can't say for sure.
11 communicate with him via text.	11 acquisition or negotiations of the same?
10 know how you would define that. But yes, I did 10:20:04	10 texts with Mr. Poetzscher that relate to the Otto 10:22:11
9 A. I don't know about frequently. I don't	9 Q Okay. Have you ever deleted any of your
8 Otto and negotiations associated with it?	8 speculation. I would not be able to tell you.
7 Levandowski via text relating to the acquisition of	7 A Anybody else anybody else would be a
6 Q Did you frequently communicate with Mr.	6 Q Anybody else?
5 yes. 10:19:44	5 A Lior. 10:22:01
4 A That is my understanding of the technology,	4 Q Anybody else?
3 deleted?	3 A Yes.
2 with Mr. Levandowski prior to the date that you	2 Q Cameron Poetzscher?
1 Q So that would have deleted all messages	1 A Cam.
Page 62	Page 64
25 his name. 10:19:33	25 Q Who else did you communicate with via text? 10:21:51
24 person, I just deleted that group, that basically	24 A Yes.
23 various people, without drilling into the specific	23 via text?
22 your phone and you see all the messages, right, from	22 relating to the acquisition of Otto and negotiations
21 A So when you open up your message client on	21 there did you communicate with anybody else
20 a little bit more detail? 10:19:12	20 messages between you and Mr. Levandowski. Are 10:21:38
19 the technology you're referring to. Can you provide	18 A No. 19 Q Have you we talked about deleting text
17 good sense of number of texts. 18 Q Okay. I'm not quite sure I'm understanding	17 production in this case? 18 A No.
16 iPhone and you can just delete. So I don't have a	16 Q And you haven't provided those to Uber for 17 production in this case?
15 A I deleted based on when you open up your 10:18:56	15 A that's correct. 10:21:21
14 or a larger group of texts?	14 Q Okay.
13 Q Was it like a single text that you deleted	13 A Yes
12 A I don't remember that,	12 correct?
11 with Anthony?	11 everything prior to your that deletion date,
10 Q Before 2017. How many texts did you delete 10:18:30	10 messages with Mr. Levandowski since you deleted 10:21:11
9 A Before 2017.	9 Q Okay. And so there could be more text
8 with Anthony?	8 A Yes.
7 learned of the litigation that you deleted texts	7 deleted them, correct?
6 Q Before. Can you recall how long before you	6 with Mr. Levandowski prior to that date that you
5 A Before. 10:18:07	5 the technology correctly, you deleted all messages 10:21:00
4 acquisition of Otto?	4 Q And so if I understand your description of
2 Q Was it before or after you were aware that 3 the there was litigation relating to Uber's	2 and Mr. Levandowski sometime before 2017, correct? 3 A Yes.
	1
1 A I don't have a good sense of when.	1 You said that you deleted texts between you

1 A Lior.	1 delete?
2 Q Anybody else?	2 MR. JACOBS: You can answer that yes or no.
3 A His outside counsel.	3 Well, you can answer as to nonlawyers. If you
4 Q Why did you communicate with Mr.	4 consulted with counsel, you can answer yes or no the
5 Levandowski by text during this time period? 01:58:02	5 fact of such consultation without revealing the 02:00:51
6 A Because he preferred that we kept	6 advice you got.
7 communication off email and over text only, and	7 THE WITNESS: I didn't consult anyone, but
8: obvious text and phone.	8 Cam was in the room when Anthony asked us, and he
9 Q And you previously testified that at some	9 agreed that we would do that, because we understood
10 point before 2017, you deleted all of your texts 01:58:23	10 that M&A deals are confidential; and if this is 02:01:10
11 with Mr. Levandowski?	11 something that would make the other side feel more
12 A Yes, that's correct.	12 comfortable, that it was something that we could do.
13 Q So the texts that you had with him in the	13 BY MS. ROBERTS:
14 first quarter of 2016 when negotiating an	14 Q Did you tell anybody at Uber, other than
15 acquisition agreement, those have all been deleted? 01:58:37	15 Mr. Poetzscher who was in the room at the time, that 02:01:25
16 A I don't know when I was asked to delete it,	16 Mr. Levandowski had asked you to delete emails or
17 so I can't really tell you if that time frame, those	17 excuse me, delete texts?
18 texts were deleted or not.	18 A Yes.
19 Q You said you don't know when you were asked	19 Q Who did you tell?
20 to delete them. Did I hear you correctly? 01:58:50	20 A Lawyers. 02:01:37
21 A Yes, that's correct.	21 Q Did you ask the lawyers whether you should
22 Q Who asked you to delete them?	22 delete the emails that Mr. Levandowski or excuse
23 A Anthony.	23 me, delete the texts at Mr. Levandowski's request?
24 Q And but you don't recall when he asked	24 MR. JACOBS: I'm going to instruct you not
25 you to do that? 01:59:01 Page 17	25 to answer because that calls for privileged advice. 02:01:53 Page 180
rage 17	1 age 100
1 A Yes, that's correct.	1 THE WITNESS: I'm not going to answer that,
2 Q Did he ask you to delete them before or	2 MS. ROBERTS: Let's go ahead and take a
3 after the merger and acquisition agreement was	3 break.
	1
4 signed?	4 THE WITNESS: Okay.
5 A Before. 01:59:13	5 VIDEO OPERATOR: Going off the record. The 02:02:00
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1	with acquiring Otto?	1	conclusion given the fact that it was encrypted, can
2	MR, JACOBS: I'm going to instruct you not	2	you clarify that?
3	to answer.	3	A At that time, I personally thought it may
4.	THE WITNESS: I'm not going to answer that.		have had something to do with self-driving, but I
.5	MS. ROBERTS: And for the record, all of 04:47:42		remember Anthony or I my understanding of what 04:51:07
6	these instructions are based on privilege?	6	Anthony said was that it seemed to be mapping
7	MR. JACOBS: Yes.	7	rélated.
8	BY MS, ROBERTS:	8	Q Did he say how he knew it was mapping
9	Q Do you recall a meeting with Mr.	9	related?
10	Levandowski in March of 2016 in which some discs 04:47:54	10	A Not that what I not based on what I can 04:51:23
11	containing Google information was discussed?	11	remember.
12	A Yes.	12	Q But he did tell you that the discs were
13	Q Tell me what you can recall about that	13	encrypted?
14	meeting.	14	A He said that there was an encryption on it,
15	A We had convened the meeting to discuss 04:48:12	15	yes. 04:51:34
16	deal-related items. In that meeting, at one point,	16	Q And that he could access the discs even
17	Anthony mentioned that he at that time possessed	17	though they were encrypted?
18	Google information, that while it was encrypted, he	18	A Yes, he said that he had the ability to
19	had the ability to access it. He he mentioned	19	unencrypt them.
20	that he had not opened it, merely that he had the 04:48:44	20	Q And had he done so? 04:51:46
21	ability to open it.	21	A He said he had not.
22	Lior said he was telling they were	22	Q Okay. So if he hadn't encrypt
23	telling us in the interest of being fully	23	unencrypted the discs that he had the that he had
24	transparent, and Anthony wanted to know what he	24	the capability to unencrypt, did he say how he knew
25	should do. 04:49:05	25	that they contained mapping-related information? 04:52:05
	Page 278		Page 280
1	Q Who was present at this meeting?	1	A Not that I can remember.
2	A Besides Anthony and Lior, Travis, Cam, and	2	Q And then the your statement that the
3	myself.	3	information on these discs containing Google
4	Q Did Mr. Levandowski provide any more detail	4	confidential information may have related to
5	about what was on the five discs containing Google 04:49:27	5	self-drivingdriving vehicles, is that based on 04:52:26
6	information?	6	the statement that Mr. Levandowski made?
7	A Yes.	7	A I don't remember, I don't think so, I'm
8	Q What did he say was on the discs?	8	not sure.
9	A I didn't understand him a hundred percent,	9	Q Did Mr. Ron give any indication that he
10	but I thought personally, I thought he was 04:49:41	10	knew what these materials were that Mr. Levandowski 04:52:42
11	referring to something mapping related that	11	still had from Google?
12	potentially was also related to self-driving.	12	A To the best of my recollection, no.
13	Q So it was your understanding at the time of	13	Q And so just to make sure I understand, you
14	this March 2016 meeting, based on Mr. Levandowski's	14	recall Mr. Levandowski saying that the discs
15	explanation, that he had in his possession in his 04:50:09	15	contained Google confidential information about 04:53:01
16	possession Google confidential information that	16	mapping, but you can't recall and and sitting
17	potentially related to self-driving vehicles?	17	here today, you remember thinking that that
18	A My understanding was that it was mapping	18	information might also be related to self-driving
19	specific.	19	vehicles; is that correct so far?
20	Q And then what made you think that that was 04:50:29	20	MR. JACOBS: Objection. Mischaracterizes 04:53:14
21	potentially related to self-driving technology?	21	the testimony.
22	A He may have mentioned that or it may have	22	THE WITNESS: I don't think I said it was
			1
23	been my conclusion given the fact that it was	23	confidential information, only that it was
	been my conclusion given the fact that it was encrypted.		confidential information, only that it was encrypted.
		24	•

1 Q Okay, So taking a step back, you recall 2 Mr. Levandowski saying that the dises 3 A That is braid the dishifty to gent the files. 4 Q Okay. And then after - after Mr. 5 A Yes. 0 And sitting here today, you remember 7 thinking that the information might also be related 8 to self-diving whetlest; is that correct? 8 fight? 9 A Yes. 10 Q And sitting here today, you don't recall if 04:53:55 11 that understanding of yours was based on something 12 Mr. Levandowski said for an assumption by you? 13 A That is correct. 13 Q And advised Mr. Levandowski to stilk to his 04:56:58 11 latury the Uber 14 Q Okay. So after Mr. Levandowski said - 15 West Levandowski said we would take to we will be seen to seen the said said said we would take to our and the material behave the said firent principle of the work and the said firent principle of the work and the said firent principle of the work and forth into our 14		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
3 but he did not open the files 4 Q Okay. And then after -after Mr. 5 A Yes. 0.453:44 5 Poetzscher joked that Mr. Levandowski should throw 04:56:46 6 Q And sitting here today, you remember 7 thinking that he formation implicit as he related 8 to self-driving vehicles; is that correct? 8 fight? 9 A Yes. 10 Q And aiting here today, you don't recall if 04:53:55 11 that understanding of yours was based on something 12 A Yes, that socreet. 13 Q And alios said that you, the Uber 14 Implicit as different question. 04:54:11 15 Implicit as different question. 04:54:11 15 Implicit as different question. 04:54:11 15 Implicit as different question. 04:54:11 16 Yes. 17 Q Did Uber - 4di - 4di dthe Uber's lawyers 19 about what Mr. Levandowski should throw 04:57:33 17 Q Did Uber - 4di - 4di dthe Uber's lawyers 19 down what Mr. Levandowski should do with these 20 disser? 24 a There was some back and forth into 24:57:33 27 Q And after he advised thase of you at this offermation? 23 A Imm to sure. I don't remember. I only 24 remember him saying that it was encrypted. 25 Q And after he advised those of you at this 04:54:39 Page 282 25 Q And after he advised those of you at this 04:54:39 Page 282 27 Q Did Mr. Levandowski should do with these 20 disser? 28 a to the topic of what to do with the discs. 28 BY MS. ROBERTS: 27 Q And who specifically did you discuss it 04:57:31 Page 284 28 BY MS. ROBERTS: 28 Q And who specifically did you discuss it 04:57:35 29 And who specifically did you discuss it 04:57:35 29 And who specifically did you discuss it 04:57:35 20 and who specifically did you discuss it 04:57:35 20 and who specifically did you discuss it 04:57:35 20 and who specifically did you discuss it 04:57:35 20 and who specifically did you discuss it 04:57:35 20 and who specifically did you discuss it 04:57:35 20 and who specifically did you discuss it 04:57:35 20 and who specifically did you dis	1 Q Okay. So taking a step back, you recall	1 clarification, what was the ultimate conclusion?
4 information about mapping; is that right? 5 A Yes. 045344 6 Q And sitting here today, you remember 7 thinking that the information alight also be related 8 to self-driving vehicles; is that correct? 9 A Yes. 10 Q And sitting here today, you don't recall if 04.53155 10 Q And sitting here today, you don't recall if 04.53155 11 that understanding of yours was based on something 12 Mr. Levandowski said or an assumption by you? 12 Mr. Levandowski said or an assumption by you? 13 A That is correct. 14 Q Okay, So after Mr. Levandowski said	2 Mr. Levandowski saying that the discs	2 A That he had the ability to open the files,
5 A Yes. 04:53:44 6 Q And sitting here today, you remember thisking that the information ingth also be related 8 to self-driving vehicles; is that correct? 9 A Yes. 10 Q And sitting here today, you don't recall if 04:53:55 11 that understanding of yours was based on something 12 Mr. Levandowski said or an assumption by you? 12 Mr. Levandowski said or an assumption by you? 13 A That is correct. 14 Q Okay. So after Mr. Levandowski said — 15 well, let me ask different question. 04:54:11 17 you didn't say that this information was Google 18 conditional information was Google 18 well, let me ask different question. 04:54:11 18 well, let me ask different question. 04:54:12 19 A Yes, that's correct. 17 you didn't say that this information was Google 18 well, let me ask different question. 04:54:11 18 well, let me ask different question. 04:54:12 19 A Yes, that's correct. 17 you didn't say that this information was Google 18 well, let me ask different question. 04:54:11 18 well, let me ask different question. 04:55:43:9 19 A Yes, that's correct. 18 Wash ask different question. 04:54:22 20 discs? 04:57:23 21 that the materials he had in his possession was - 22 were Google confidential information? 24 remember him saying that it was encrypted. 25 Q And after he advised those of you at this 04:54:39 Page 222 1 meeting flat he had these five encrypted — 2 encrypted discs containing Google information; of discs? 04:57:23 17 THE WITHESS: Yes. 19 Were they in-house lawyers or outside 04:57:38 0 Q and who specifically did you discuss it 04:57:31 Page 284 1 with? 24 A There was some back and forth into 04:55:20 10 containing Google information? 04:57:52 10 containing Google information? 04:57:52 10 containing Google information? 04:57:52 10 containing Google information? 11 his right arm to basically look like he was going to 11 his right arm to basically look like he was going to 11	3 containing Google in contained Google	3 but he did not open the files.
6 Q And sitting here today, you remember 7 thinking that the information might also be related 8 to self-eff-tring vehicles, is that correct? 9 A Yes. 10 Q And sitting here today, you don't recall if 04:53:55 11 Q And sitting here today, you don't recall if 04:53:55 12 A That is correct. 13 A That is correct. 14 Q Okay. So after Mr. Levandowski said or an assumption by you? 15 well, let me ask a different question. 16 You clarified that this information — that 17 you clarified that this information — that 18 confidential information is that right? 19 A Yes, that's correct. 10 Q Did Mr. Levandowski give you any indication 04:54:21 21 that the materials he had in his possession was— 22 were Google confidential information? 23 A I'm not sure. I don't remember. I only 24 remember him saying that it was encrypted. 25 Q And after he advised those of you at this 04:54:39 26 remember him saying that it was encrypted. 27 encrypted discs containing Google information, 3 what — what was the response at that meeting? 4 A There was some back and forth into 5 determining and to clarifying did he or did he not 7 op — actually like unencrypt the file. 4 A There was some back and forth into 5 determining and to clarifyingly said, "You should 9 probably just throw that in the river," or something 10 along those lines, to which Travis actually raised 9 probably just throw that in the river," or something 10 along those lines, to which Travis actually raised 11 him right arm to basically look like he was going to 12 block Cam like this (indicating) — I know you can't 13 like record that — and said like, "Don't listen to 14 him. He doesn't know what he's talking about. You 15 should talk to your lawyers," basically, and then 16 retirerated, "Don't listen to Cam." And then said, 17 "I know you'll do the right thing." 18 And we also said we would talk to our 19 lawyers. 20 Q Okay, Going back to you said there was 20 Q Okay, Going back to you said there was 21 kn. Levandowski is bould do with the dises? 22 A Loaf dim think like Lane 2	4 information about mapping; is that right?	4 Q Okay, And then after after Mr.
7 diver, Mr. Kalanick said not to listen to him, 8 to self-driving whicles; is that correct? 9 A Yes. 10 Q And stiting here today, you don't recall if 04:53:55 11 that understanding of yours was based on something 12 Mr. Levandowski said or an assumption by you? 13 A That is correct. 14 Q Okay, So after Mr. Levandowski said — 15 well, let me ask a different question. 15 well, let me ask a different question. 16 You clarified that this information — that 17 you didn't say that this information or buts 17 you didn't say that this information or buts 17 you didn't say that this information was Google 18 confidential information; is that right? 19 A Yes, that's correct. 10 Q Did Mr. Levandowski give you any indication 04:54:22 21 that the meterials he had in his passession was — 22 were Google confidential information? 23 A J'm not sure. I don't remember. I only 24 remember him saying that it was encrypted. 25 Q And after he advised those of you at this 04:54:39 26 Page 282 27 meeting that he had these five encrypted — 27 encrypted discs containing Google information, 28 what — what was the response at that meeting? 29 A Yes, that's correct. 20 pid Mr. Levandowski give you any indication 04:54:22 21 meeting that he had these five encrypted — 22 were Google confidential information? 23 A J'm not sure. I don't remember. I only 24 remember him saying that it was encrypted — 25 concreted and the land of these five encrypted — 26 controlled that he add these five encrypted — 27 concrypted discs containing Google information, 28 what — what was the response at that meeting? 39 A Yes, that's correct. 30 discs? 31 THE WITNESS: Yes and answer that, 31 THE WITNESS: Yes and answer that, 32 THE WITNESS: 1 wayers 33 THE WITNESS: 1 wayers 34 Page 282 35 Q And what was short exposure that the discs of the topic of what to do with the discus of the topic of what to do with the discus of the topic of what to do with the discus of the topic of what to do with the discus of the topic of what to do with the discus of the topic of what	5 A Yes. 04:53:44	5 Poetzscher joked that Mr. Levandowski should throw 04:56:46
8 right? 9 A Yes. 10 Q And sitting here today, you don't recall if 04:53:55 11 that understanding of yours was based on something 12 Mr. Levandowski sid or an assumption by you? 13 A That is correct. 14 Q O loay. So after Mr. Levandowski sid or an assumption by you? 15 well, let me ask a different question. 16 You clarified that this information was Google 16 C you clarified that this information was Google 17 You didn't say that this information was Google 18 confidential information; is that right? 19 A Yes, that's correct. 10 Q Did Mr. Levandowski give you any indication 04:54:22 21 that the materials he had in his possession was - 22 were Google confidential information? 23 A Than ot sure. I don't remember. I only 24 remember him saying that it was encrypted. 25 Q And after he advised those of you at this 04:54:39 Page 282 2 THE WITNESS: Yes. 24 The was some back and forth into 25 determining and to clarifying did he or did he not 3 what what was the response at that meeting? 4 A There was some back and forth into 5 determining and to clarifying did he or did he not 4 him. He doesn't know what he's talking about. You 15 should talk to your lavyers," basically, and then 16 reiterated, "Don't listen to Cam." And then said, 17 "I know you'll do the right thing." 18 And we also said we would talk to our 19 lawyers. 20 Q O Okay. Going back to you said there was 20 Q O Qokay. Going back to you said there was 20 Q O Qokay. Going back to you said there was 21 S Q And in part of that back-and-forth 22 A Mr. JACOBS: You can answer that 23 E Double what he should do with the -the discs? 24 A Yes. 25 Q And in part of that back-and-forth 26 C Q Did And what was conveyed to Mr. Levandowski what 27 C Levandowski, indicacessed the files and whether 28 he could access the files; is that right? 29 A Yes. 20 Q O And man and of that pack-and-forth 20 C Q O Qokay. Going back to you said there was 21 S Q And in part of that back-and-forth 22 A Law Yes. 23 A Time would be with the ediscs? 24 A Yes. 25 C Q And in part of that b	6 Q And sitting here today, you remember	6 these files containing Google information into the
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10 Q And sitting here today, you don't recall if 04:53:55 11 that understanding of yours was based on something 12 Mr. Levandowski is of an assumption by you? 13 A That is correct. 14 Q Okay. So after Mr. Levandowski said — 15 well, let me ask a different question. 16 You clarified that this information — that 17 you didn't say that this information was Google 18 confidential information is that right? 19 A Yes, that's correct. 10 Q Did Mr. Levandowski sid of the triph? 19 A Yes, that's correct. 10 Q Did Mr. Levandowski sid of the triph? 10 A Yes, that's correct. 11 I kwyer? 12 lawyers Q 44:57:09 13 kwyers? 14 individuals at this meeting, would talk to your 1 level what Mr. Levandowski should do with these 14 A There was some back and forth into 5 determining and to clarifying did he or did he not 7 op— actually like unenery the file. 14 A There was some back and forth into 5 determining and to clarifying did he or did he not 7 op— actually like unenery the file. 15 A Yes, that's correct. 16 A Yes. 17 Q Did Uber — did — did the Uber individuals 18 who were a this meeting, would talk to your 1 level what Mr. Levandowski should do with these 20 dises? 21 Mr. Levandowski should do with these 22 were Google confidential information? 22 as to the topic of what to do with the dises. 23 THE WITNESS: Yes. 24 PYMS. ROBERTS: 25 Q And who specifically did you discuss it 04:57:31 26 Page 282 27 Wr. Levandowski should do with the — the dises. 28 At one point Cam jokingly said, "You should 9 probably just throw that in the river," or something 10 along those lines, to which like, "Don't listen to 6 the file was 10 along those lines, to which like, "Don't listen to 6 the means of the properties of the proper	8 to self-driving vehicles; is that correct?	8 right?
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15 well, let me ask a different question. 04:54:11 16 You clarified that this information that 17 you didn't say that this information was Google 18 confidential information, is that right? 19 A Yes, that's correct. 20 Q Did Mr. Levandowski give you any indication 04:54:22 21 were Google confidential information? 22 were Google confidential information? 23 A I'm not sure. I don't remember. I only 24 remember him saying that it was encrypted. 24 remember him saying that it was encrypted. 25 Q And after he advised those of you at this 04:54:39 Page 282 1 meeting that he had these five encrypted 2 encrypted dises containing Google information, 3 what what was the response at that meeting? 4 A There was some back and forth into 5 determining and to clarifying did he or did he not 04:55:00 6 open them; could he or could he not 7 op actually like unencrypt the file. 8 At one point Cam jokingly said, "You should 9 probably just throw that in the river," or something 10 along those lines, to which Travis actually raised 04:55:22 11 his right arm to basically look like he was going to 12 block Cam like this (indicating) I know you can't 13 like record that and said like, "Don't listen to Cam." And then said, "I'm know you'll do the right thing." 18 And we also said we would talk to our 19 lawyers. 20 Q Okay, Going back to you said there was 04:55:49 21 sort of a back and forth trying to clarify whether 22 Mr. Levandowski had accessed the files and whether 23 he could access the files; is that right? 21 Sort of a back and forth trying to clarify whether 24 A Yes. 25 Q And in part of that back-and-forth 04:56:27 2 10 long this provided with the dises? 14 long that had a cacessed the files and whether 24 A Yes. 26 Q And in part of that back-and-forth 04:56:27 2 10 long answer that question. 24 long that had a cacessed the files and whether 25 Q And in part of that back-and-forth 04:56:27 2 10 long answer that question. 25 long and when the labels are could access the files; is that right? 24 A Yes. 27 Le	14 O Okay. So after Mr. Levandowski said	
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20 Q Did Mr. Levandowski give you any indication 04:54:22 21 that the materials he had in his possession was 22 were Google confidential information? 23 A I'm not sure. I don't remember. I only 24 remember him saying that it was encrypted. 25 Q And after he advised those of you at this 04:54:39 Page 282 1 meeting that he had these five encrypted 2 encrypted discs containing Google information, 3 what what was the response at that meeting? 4 A There was some back and forth into 5 determining and to clarifying did he or did he not 6 open them; could he or could or could he not 7 op actually like unencrypt the file. 8 At one point Cam jokingly said, "You should 9 probably just throw that in the river," or something 10 along those lines, to which Travis actually raised 04:55:22 11 his right arm to basically look like he was going to 12 block Cam like this (indicating) I know you can't 13 like record that and said like, "Don't listen to 14 him. He doesn't know what he's talking about. You 15 should talk to your lawyers," basically, and then 16 reiterated, "Don't listen to Cam." And then said, 17 "I know you'll do the right thing." 18 And we also said we would talk to our 19 lawyers. 20 Q Okay. Going back to you said there was 04:56:09 21 sort of a back and forth trying to clarify whether 22 Mr. Levandowski had accessed the files and whether 23 he could access the files; is that right? 24 A Yes. 25 Q And in part of that back-and-forth 04:56:27 26 diss Condition of with to do with the discs. 27 distributed with the discs of the with to do with the discs. 28 THE WITNESS: Pase of what to do with the discs. 29 distributed with the disc of what to do with the discs. 21 like Tile WITNESS: Lawyers. 24 BYMS. ROBERTS: 25 Q And who specifically did you discuss it 04:57:31 Page 282 26 WR. JACOBS: You can answer that. 27 with With? 28 WR. JACOBS: You can answer that. 29 WR. JACOBS: I'm going to instruct you not of counsel? 20 Q Both. And what did Uber's lawyers tell you ontition of the page and the page and		
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